

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FREDERICK BANKS,)	
)	
Petitioner,)	Civil Action No. 2:19-cv-942
)	
v.)	Senior Judge Nora Barry Fischer
)	Magistrate Judge Patricia L. Dodge
ED LEA, <u>et al.</u> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

On June 28, 2019, the Court received a petition for a writ of habeas corpus from the petitioner, Frederick Banks (“Banks”), who is subject to vexatious-litigant orders and did not receive the required authorization to file this lawsuit. This case was referred to a United States Magistrate Judge in accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Local Rules for Magistrate Judges. On August 16, 2019, the magistrate judge issued a Report and Recommendation (ECF No. 9) in which she recommended that this case and the motion for leave to proceed *in forma pauperis* (ECF No. 4) be dismissed because Banks did not receive authorization to file this lawsuit, as required by the vexatious-litigant orders.

Banks’s objections to the Report and Recommendation were due by September 3, 2019. He did not file any objections. After *de novo* review of the petition and documents in this case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 30th day of September, 2019;

IT IS HEREBY ORDERED that this case and the motion for leave to proceed *in forma pauperis* (ECF No. 4) are dismissed because Banks did not receive authorization to file this lawsuit, as required by the vexatious-litigant orders. The Report and Recommendation (ECF

No. 9) of Magistrate Judge Patricia L. Dodge, filed on August 16, 2019, is adopted as the opinion of the court.

The Clerk is directed to mark this case CLOSED.

/s/ Nora Barry Fischer
Nora Barry Fischer
United States Senior District Judge

cc: Frederick H. Banks
DOC & POD Number 120759, 2F
Allegheny County Jail
950 2nd Ave.
Pittsburgh, PA 15219-3100 (via first class mail)